

REMARKS

The claims have been amended to more clearly define the invention as disclosed in the written description. In particular, claims 29-32 have been amended for clarity. In addition, the claims have been amended for clarity.

Applicants believe that the above changes answer the Examiner's 35 U.S.C. 112 rejection of claims 22 and 29, and respectfully request withdrawal thereof.

The Examiner has rejected claims 29-32 under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter as follows: "Claim 29 defines a record carrier having information signal recorded on it. The claimed invention would have been statutory had it been worded to include computer program embedded in a computer readable medium. Computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationship between the computer program and the rest of the computer which permit the computer program's functionality to be realized, and is thus statutory. See Lowry, 32 F.3d at 1583-84, 32 USPQ2d at 1035."

Claim 29 has been amended such that it now claims "A computer-readable medium comprising a record carrier...", while claims 30-32 have been amended to claims "The computer-readable medium...."

In view of the above, Applicants believe that the subject invention, as claimed in claims 29-32, is now statutory, and meets the requirements of 35 U.S.C. 101.

The Examiner has further rejected claims 22-38 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 3-9, 11-14 and 16-20 of U.S. Patent No. 6,724,978, and claim 2 of U.S. Patent 6,490,406.

Enclosed herewith is are Terminal Disclaimers referencing U.S. Patents 6,724,978 and 6,490,406, respectively.

Applicants therefore believe that the Examiner's obviousness-type double patenting rejection has been overcome.

The Examiner has rejected claims 22-38 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 5,377,051 to Lane et al.

The Lane et al. patent discloses a digital video recorder compatible receiver with trick play image enhancement. According to the Examiner, Lane et al. discloses the generation of an MPEG video signal having a fixed length (col. 20, lines 54-61, col. 25, lines 16-22). From this MPEG video signal, the trick play packets are selected (col. 27, lines 38 - 47, col. 47, lines 46 - 58). These trick play packets are stored in a channel signal which is recorded on a record carrier (see Fig 10a). The channels signal is obtained by multiplexing the normal play data and the trick play data. The trick play data is stored in trick play segments between data segments (see Fig 12(a)).

As noted in MPEP § 2131, it is well-founded that "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir.

1987). Further, "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Claim 22 includes the limitation "the channel encoding means stores information included in x transport packets of the MPEG information signal in the second block sections of a first group of y first signal blocks of said signal blocks of the channel signal so as to enable a normal play mode using video information stored in said first group of y first signal blocks during a normal play reproduction mode". The Examiner has indicated that this is taught by Lane et al. in Fig. 8(b) to Fig. 10(a).

Applicants have reviewed these figures in which, according to Lane et al., "FIG. 8(b) illustrates a representative video packet header which may be attached by the transport packetizer, illustrated in FIG. 8(a), to the data packets generated in accordance with one embodiment of the present invention", "FIG. 9 is a block diagram of a circuit for a digital VTR compatible receiver in accordance with one embodiment of the present invention", and "FIG. 10(a), is a block diagram of a VTR recording circuit in accordance with one embodiment of the present invention."

It should be apparent that these figures of Lane et al. do not show how the encoder stores the information included in the transport packages of the MPEG signal.

Claim 22 further includes the limitations "the channel encoding means further receives a trick mode video signal and stores said trick mode video signal in second block sections of a second group of z second signal blocks of said signal blocks of the channel signal so as to enable a trick play mode using the video information stored in said second signal blocks", "wherein the second block sections of at least one signal block in each first and second group of first and second signal blocks, respectively, comprise a third block section for storing identification information indicating whether the group comprises the first signal blocks or second signal blocks", and "wherein x, y and z are integer constants in which $x \geq 1$, $y \geq 1$ and $z \geq 1$ ". The Examiner has indicated that this is taught in Lane et al. in "Fig. 8(b) to Fig. 10(a) and col. 22, line 58-col. 23, line 12".

Applicants submit that the Examiner is mistaken. In particular, the description of Figs. 8(b) to 10(a) are given above, while in Lane et al., col. 22, line 58 to col. 23, line 12, states:

"Referring now to FIG. 8(b), there is illustrated a suitable video packet header 150 which can be attached by the transport packetizer 106 to the data packets generated in accordance with the present invention. As illustrated in FIG. 8(b), the packet header 150 comprises a packet ID data block 151, a priority ID data block 152, an entry point data block 154, an entry ID data block 156 and a block of process variables 158. The packet ID data block 151 comprises information identifying the source of the packet, the packets sequence number, etc. The priority ID data block comprises information indicating the priority of the data contained within the particular video data packet. The entry point data block 154 contains a pointer to the next object in the data packet, e.g. a macroblock or superblock header. The entry ID data block 156 contains the ID of the object pointed to by the entry

point ID data block 154. In addition, the header 150 also includes a block of process variables 158 which are necessary for decoding and which might be lost during resynchronization. Such process variables may include variables in the video codeword data stream that are global for an entire frame or image sequence."

It should be apparent that this section of Lane et al. is describing a video packet header that is to be attached to the data packets. However, there is no disclosure or suggestion of receiving a trick mode video signal and how this trick mode signal is to be stored ("in second block sections of a second group of z second signal blocks of said signal blocks of the channel signal"). Further, there is no disclosure or suggestion of any of the first or second signal blocks, or second or third signal block sections as specifically described in the above-noted limitation.

Applicants submit that it should be clear that "...each and every element as set forth in the claim" are not found in Lane et al., and that the requirement of the CAFC in the Richardson case, i.e., "The identical invention must be shown in as complete detail as is contained in the ... claim." is not met by Lane et al.

In view of the above, Applicants believe that the subject invention, as claimed, is neither anticipated nor rendered obvious by the prior art, and as such, is patentable thereover.

Applicants believe that this application, containing claims 22-38, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

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